



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Commissioner

THE OFFICE OF APPEALS AND DISPUTE RESOLUTION

In the Matter of
Jeff and Karin Tyndall

June 27, 2008
Docket No. 2008-060
DEP File No. W07-2018
Barnstable

RECOMMENDED FINAL DECISION – WITHDRAWAL OF CLAIM

The Petitioners' representative Robert Sullivan, Esquire has forwarded a letter to the Office of Appeals and Dispute Resolution ("OADR") requesting that Dr. and Mrs. Donald Kornack's notice of claim for an adjudicatory hearing be withdrawn. This notice of claim contained a request for hearing on a Draft Waterways License Application No. W07-2018 to construct and maintain a dock at 208 Canoe Pond Drive, Brewster. A Petitioner for an adjudicatory hearing may request that his notice of claim be withdrawn at any time. Petitioners' request is granted, and this proceeding is at an end.

NOTICE- RECOMMENDED FINAL DECISION

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be



appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

Philip Weinberg
Presiding Officer